

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: USPTO, BOX SEQUENCE P.O. Box 2327, Arlington, VA 22202 on the date shown below.

Dated: December 4, 2002

Shawn P. Foley
SHAWN P. FOLEY

Docket No.: OCIRS 3.3-072

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

DEC 13 2002

TECH CENTER 1600/2900



In Re Patent Application of:
Nilgun E. Tumer *et al.*

Application No.: 09/869,176

Group Art Unit: 1638

Filed: June 26, 2001

Examiner: A.D. Mehta

For: VIRUS-RESISTANT TRANSGENIC PLANTS

AMENDMENT IN RESPONSE TO NOTICE UNDER 37 CFR §§1.821-825

U. S. PATENT AND TRADEMARK OFFICE
BOX SEQUENCE
P.O. Box 2327
Arlington, VA 22202

Sir:

In response to the Notice to Comply With Requirements for Applications Containing Sequence Disclosures (Office Action on the Merits) mailed November 4, 2002, please amend the application as follows:

IN THE SPECIFICATION:

Please amend the specification as shown:

Please delete the paragraph on page 6, lines 5-16, and replace it with the following paragraph:

A'
Transgenic plants expressing L3 or an L3 mutant exhibit broad spectrum resistance to viruses and fungi. L3 nucleic acids useful in the present invention may be obtained from a variety of natural sources including yeast, higher plants and animals. By the term "exogenous" it is meant in addition to the native genome of the plant. By the term "homologous" it is meant within the same species of organism (e.g., introducing a tomato gene encoding L3 into a tomato). Thus, the present invention embraces transgenic plants producing multiple copies of its own endogenous L3 gene. By "heterologous" it is meant that the L3 gene is derived or obtained from a different species of organism from the plant (e.g.,